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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/973,865	10/11/2001	John Polk	6556.0003-03000	3546
22852	7590	12/05/2003	EXAMINER	
FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER LLP 1300 I STREET, NW WASHINGTON, DC 20005			WEISS, JOHN	
		ART UNIT		PAPER NUMBER
				3629

DATE MAILED: 12/05/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No. <b>09/973,865</b>	Applicant(s) <b>Polk</b>
	Examiner <b>John Weiss</b>	Art Unit <b>3629</b>

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

1)  Responsive to communication(s) filed on Feb 21, 2003

2a)  This action is FINAL.      2b)  This action is non-final.

3)  Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

**Disposition of Claims**

4)  Claim(s) 127-202 is/are pending in the application.

4a) Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5)  Claim(s) \_\_\_\_\_ is/are allowed.

6)  Claim(s) 127-202 is/are rejected.

7)  Claim(s) \_\_\_\_\_ is/are objected to.

8)  Claims \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

9)  The specification is objected to by the Examiner.

10)  The drawing(s) filed on \_\_\_\_\_ is/are a)  accepted or b)  objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)  The proposed drawing correction filed on \_\_\_\_\_ is: a)  approved b)  disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.

12)  The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

13)  Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)  All b)  Some\* c)  None of:

1.  Certified copies of the priority documents have been received.
2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3.  Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\*See the attached detailed Office action for a list of the certified copies not received.

14)  Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

a)  The translation of the foreign language provisional application has been received.

15)  Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

1)  Notice of References Cited (PTO-892)

2)  Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)  Information Disclosure Statement(s) (PTO-1449) Paper No(s). \_\_\_\_\_

4)  Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_

5)  Notice of Informal Patent Application (PTO-152)

6)  Other: \_\_\_\_\_

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## **DETAILED ACTION**

### ***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 127-201 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Remington et al (6,070,150) in view of Washington State Final report.

As to claim 127, 135, 143, 144, 145, 154, 163, and 164 Remington teaches a payment processing method and system in Figure 2 and c. 3 and 4, with an individual/biller (42) initiates a consumer (44) to forward disbursement information and payment information (step 2) to a bill paying agency (46). The bill paying agency would then through the payment information process as a debit transaction (c.3, lines 54-55) from the consumer bank (52) to the bill paying bank (48). The bill paying agency would also send the disbursement information (step 5, Opt D) to an intermediary agency (52) that would be responsible for the final disbursement of the payment.

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It is noted that Remington failed to teach the use of this payment process specifically used for child support payments, however Washington State reference teaches that the use of Washington State bill processing agency that disburses child support payments to other states/intermediary is old and well known.

Therefore, it would have been obvious to one of ordinary skill in the bill payment art to replace the following in Remington to operate the bill paying agency for child support payments:

1. Biller (42) with the state/court or paying employee
2. Consumer (44) with the employer
3. BPSP service unit (46) with accumulator agency
4. BPSP Bank (48) with accumulator agency bank
5. ACH is the same in both
6. Consumer bank (52) is the employers bank
7. CT (56) is intermediary states where the final payments to the custodial child are made.

Therefore, it would have been obvious to replace Washington States bill payment processing center (DSC) with the BPSP Service Unit (46) of Remington because it would allow a contacted agency that specializes in the collection and distribution of money to operate as its child support agency under federal law.

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As to claim 128, 136, 146, 155, 165, 174, 183, 184, 185, 193, 201, and 202 Washington teaches on page 12, the notice of deposit of a child support payment to the custodial parent. Also, it is old and well known in the bill paying art to notify the payer/employer if the obligation has been satisfied.

As to claim 129, 130, 137, 138, 147, 148, 156, 157, 172, 173, 181, 182, 191, 192, 199, and 200 Remington teaches that the money can be paid directly to the biller/custodial parent or an intermediary/state for disbursement of the funds.

As to claim 131, 132, 139, 140, 149, 150, 158, 159, 166, 167, 170, 171, 175, 176, 179, 180, 186, 187, 188, 189, 190, 194, 195, 196, 197, 198 Washington teaches on page 4 the use of a Court order obligation with a case number identifier. Also, it is obvious that the parent could go directly to the employer to have his/her obligation paid directly through their employer.

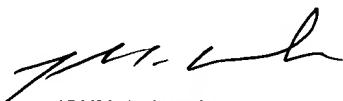
As to claims 133, 134, 141, 142, 151-153, 160-162, 183, 184, 185, 193 it would have been obvious to have the party responsible for starting the payment obligation to terminate the payments after the obligation is satisfied.

Furthermore the combination of Remington and Washington teach the use of FEDI, EFT, EDI in the distribution of information and payment to the proper parties.

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As to claims 168, 169, 177, 178 Washington teaches that the deduction can be performed automatically each month or can be performed upon a specific monthly request.

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to John Weiss whose telephone number is (703) 308-2702.



JOHN G. WEISS  
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JGW

December 1, 2003